

**Hughes
Hubbard**

Hughes Hubbard & Reed LLP
One Battery Park Plaza
New York, New York 10004-1482
Telephone: 212-837-6000
Fax: 212-422-4726
hugheshubbard.com

June 24, 2008

VIA TELECOPY

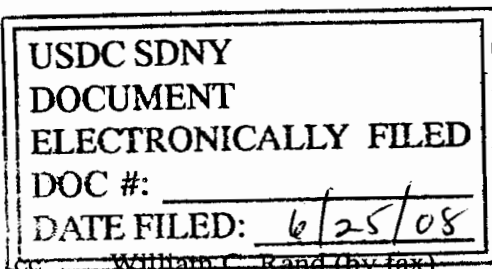
Hon. Barbara S. Jones
United States District Judge
for the Southern District of New York
500 Pearl Street
New York, New York 10007
Fax (212) 805-6191
Tel (212) 805-6185

Re: Tierney v. Neumann, 07 civ. 4090 (BSJ) - Request for
extension of time to file reply brief

Dear Judge:

We represent Defendant Gerard A. Neumann and are writing to request a two-day extension of time to file Defendant's reply papers in further support of his motion for judgment on the pleadings. Recently Your Honor granted Plaintiff's unopposed request to extend the briefing schedule by one day to accommodate his opposition brief, which changed the due date of Defendant's reply to tomorrow, Wednesday, June 25, 2008. The reason for our request is that my colleague Christopher Paparella, the partner on this case, is traveling on a previously-scheduled family vacation. Accordingly, we ask for the Court's permission to submit Defendant's reply on or before this Friday, June 27, 2008.

We have attempted to obtain Plaintiff's consent, but Plaintiff's counsel has been unable to reach Plaintiff by telephone. Plaintiff's counsel communicated to us that he doubts that Plaintiff will consent to our request because Plaintiff has not yet received certain documents that Magistrate Judge Francis ordered Defendant to produce in a ruling e-filed last week. We informed Plaintiff's counsel that we are still in the process of determining how to proceed with respect to those documents in light of Judge Francis's recent order. We were not able to make that determination before we needed to submit this extension request. Thank you for your attention to this matter.



Respectfully submitted,

Jason A. Masimore

Application GRANTED

SO ORDERED
Dated:

BARBARA S. JONES
U.S.D.J.

New York ■ Washington, D.C. ■ Los Angeles ■ Miami ■ Jersey City ■ Paris ■ Tokyo

June 24, 2008